

# **BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS**

## **MINUTES OF THE MEETING OF THE BOARD**

**DATE: 17 October 2007**

**PLACE: Department of Administration  
1 Capitol Hill 2nd floor, Conference Room B  
Providence, RI 02908**

**MEMBERS PRESENT: Messieurs: Bernardo, Moore, Capezza, Jr., Fairbanks, Jr. and Smith**

**OTHERS PRESENT: Adams Sholes, Legal Counsel, Attorney General Peter N. Dennehy, Esq.**

**Lois Marshall, Administrative Assistant**

**CALLED TO ORDER: Chairman Bernardo called the meeting to order at 12:00 PM to commence Board business.**

### **NEW BUSINESS:**

**(1) Mr. Smith made a motion to accept the minutes of the 19 September 2007 meeting. Secretary Capezza, Jr. seconded the motion. Motion carried.**

**(2) Mr. Smith made a motion to approve and seal the minutes of the Executive Sessions of 19 September 2007. Secretary Capezza, Jr.**

**seconded the motion. Motion carried.**

## **EXECUTIVE SESSION**

**Mr. Smith made a motion at 12:01PM to move into Executive Session pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions pertaining to collective bargaining or litigation and R.I.G.L. Section §42-46(5)(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Secretary Capezza, Jr. seconded the motion. Motion carried.**

**Mr. Smith moved to adjourn from executive session and reconvene to open meeting at 12:44 PM pursuant to R.I.G.L. Section §42-46(5)(a)(2) for sessions pertaining to collective bargaining or litigation and R.I.G.L. Section §42-46(5)(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct.. Secretary Capezza, Jr. seconded the motion. Motion carried.**

**Mr. Smith moved to seal the minutes of the executive session pursuant to R.I.G.L. Sections §42-46(5) (a) (2) and R.I.G.L. Section §42-46(5)(a)(4). Secretary Capezza, Jr. seconded the motion. Motion carried.**

**Vice Chairman Moore moved to record the votes taken in executive session in accordance with R.I.G.L. §42-42-4 as follows. A motion was made by Mr. Fairbanks, Jr. to confirm in open session that the matter of C2006-11 The Board of Registration for Professional Engineers vs**

Allinson-Lama Corp. has been closed. Mr. Smith seconded the motion. Motion carried. Mr. Fairbanks, Jr. made a motion to re-affirm the vote in open session to accept the settlement agreement for C2006-9 The Board of Registration for Professional Engineers vs John D. Gaskell. Secretary Capezza, Jr. seconded the motion. Motion carried. Mr. Smith was recused. Mr. Fairbanks, Jr. made a motion to re-affirm in open session to accept the settlement agreement and one year probation for C2007-5 George Calise Asst. Deputy State Fire Marshal vs Brian Oatway, P E . Secretary Capezza, Jr. seconded the motion. Motion carried. Mr. Smith was recused. Mr. Fairbanks, Jr. made a motion to re-affirm the vote in open session to suspend the license of Robert Brock for a period of ninety days from 1 January 2008 to 31 March 2008. Secretary Capezza, Jr. seconded the motion. Motion carried.

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### **(3) PE Applications**

Mr. Smith made a motion to require an NCEES record for all applications for registration by comity as of 1 January 2008. Secretary Capezza, Jr. seconded the motion. Motion carried. Mr. Smith, Attorney Dennehy and Ms. Marshall will prepare a draft of the applications to be reviewed at next months meeting.

### **(4) PE Pricing**

**A motion was made by Mr. Smith to keep the \$100.00 application fee for registration by comity. Motion failed due to lack of a second. Vice Chairman Moore made a motion to increase the fee for PE comity applications from \$100.00 to \$200.00 to be consistent with the PE exam applications fee. Secretary Capezza, Jr. seconded the motion. Mr. Smith opposed. Mr. Fairbanks, Jr. opposed. Chairman Bernardo exercised his option to vote per Robert's Rules of Order and voted in the affirmative. Motion carried.**

**(5) Correspondence from Jerry Carter, NCEES Executive Director  
So noted and filed.**

**(6) Nominations for NCEES National Awards  
So noted and filed.**

**(7) General Law H-5300Aa**

**Chairman Bernardo sent a letter with an attachment prepared by Attorney Dennehy to all members of the House Finance Committee, the Governor and the Director of DBR asking that they reconsider the law that has already been passed and will take effect 1 January 2008. These letters were sent out 24 September 2008 and to date the Board has not received any response. Chairman Bernardo asked that a meeting be scheduled with the other Boards chairs and the Director and attorney of DBR to discuss the status of this matter.**

**(8) ELSE/Engineering and Land Surveying Examination Services**

**This matter was put on hold until the 16 January 2008 Board meeting.**

**(9) NCEES named ANSI Accredited Standards Developer**

**So noted and filed.**

## **APPLICATIONS**

**(10) Jeffrey A. Vaughn, PE**

**A motion was made by Mr. Smith to grant Mr. Vaughn registration by comity in the Civil discipline. Secretary Capezza, Jr. seconded the motion. Motion carried.**

**(11) Dale R. DeClve, PE**

**A motion was made by Mr. Smith to grant Mr. DeClve registration by comity in the Civil discipline. Secretary Capezza, Jr. seconded the motion. Motion carried.**

**(12) Keith Sweitzer, PE**

**A motion was made by Mr. Smith to grant Mr. Sweitzer registration by comity in the Mechanical discipline. Secretary Capezza, Jr. seconded the motion. Motion carried.**

**(13) G.W. Preiss and Son, LLC**

**Mr. Preiss is questioning the discipline the Board assigned to his Certificate of Authorization. Mr. Smith will prepare a draft letter for the Board's to review at their 21 November 2008 meeting.**

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**(14) Nathaniel S. Balch**

**A motion was made by Mr. Smith to disapprove Mr. Balch's registration by comity which had been approved at last month's meeting. Secretary Capezza, Jr. seconded the motion. Motion carried. A motion was made by Mr. Smith that the Board writes to Mr. Balch stating that the Board found a discrepancy between what he stated on his application and what the Board's records show. Secretary Capezza, Jr. seconded the motion. Motion carried.**

#### **C.O.A. APPLICATIONS;**

**Motion was made by Mr. Fairbanks, Jr. to approve the applications for Certificates of Authorization listed on the 17 October 2007 list for Corporations, COA'S renewing, and Soles as noted in the specific disciplines mentioned with the exception of (0), which was denied. Vice Chairman Moore seconded the motion. Motion carried.**

#### **ADJOURNED:**

**Chairman Bernardo informed the Board that the next Board meeting would be scheduled for 21 November 2007 at 12:00 noon. Motion was made by Mr. Fairbanks, Jr. to adjourn the meeting at 1:20 PM. Vice Chairman Moore seconded the motion. Motion carried.**



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## **C. O. A. APPLICATIONS**

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## **SOLES PAID COMMENTS**

## **PARNTERSHIP**



**JAROS, BAUM & BOLLES APPROVED**

**COA#4006 - Add Donald A. Mongitore as resp charge**

**LIMITED LIABILITY COMPANY**

**JOHNSTON BURKHOLDER ASSOCIATES, L.L.C. \$125. APPROVED IN  
CIVIL ONLY**

**WHITMAN & BINGHAM ASSOCIATES, LLC \$125. APPROVED**

**CORPORATIONS**

**GAGE CONSULTING ENGINEERS, INC. - 0 - APPROVED IN  
MECHANICAL & ELECTRICAL**

**COA#5894 - Add resp charge David P. McVey**

**KORDA/NEMETH ENGINEERING, INC. APPROVED IN ELECTRICAL  
& STRUCTURAL**

**COA#5824 - Change resp charge & add structural engineering svcs.**

**MacRITCHIE ENGINEERING, INC. \$125. APPROVED**

**NATCOMM INC. \$125. APPROVED IN MECHANICAL & CIVIL ONLY**

**PEGASUS TSI, INC. \$ 50. APPROVED**

**COA#5701 - Name change from: Mustang Tampa, Inc.**

**ROUGH BROTHERS, INC. \$125. APPROVED IN CIVIL ONLY**

**SEI COMPANIES, INC. \$125. APPROVED IN ELECTRICAL**

**SHELLEY METZ BAUMANN HAWK, INC. \$125. APPROVED IN CIVIL ONLY**

**SYSKA HENNESSY GROUP, INC. \$125. APPROVED IN MECHANICAL & ELECTRICAL**

**REQUEST TO WITHDRAW CORPORATE COA**

**THE SAFAIE LANDRY PARTNERSHIP, INC. WITHDRAWN**